

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 729821C	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/AU2005/000038	International filing date (<i>day/month/year</i>) 14 January 2005	Priority date (<i>day/month/year</i>) 14 January 2005	
International Patent Classification (IPC) or national classification and IPC Int. Cl. A63F 1/00 (2006.01)			
Applicant PROVENT HOLDINGS LTD et al			

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of 3 sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: <div style="margin-left: 20px;"> a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of 4 sheets, as follows: <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. </div> </div> <div style="margin-left: 20px;"> b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). </div>
4.	This report contains indications relating to the following items: <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application </div>

Date of submission of the demand 14 August 2006	Date of completion of this report 01 March 2007
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer AMOD PRADHAN Telephone No. (02) 6283 2510

Box No. I Basis of the report1. With regard to the **language**, this report is based on:☒ The international application in the language in which it was filed☐ A translation of the international application into _____, which is the language of a translation furnished for the purposes of:☐ international search (under Rules 12.3(a) and 23.1 (b))☐ publication of the international application (under Rule 12.4(a))☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):☐ the international application as originally filed/furnished☒ the description:pages **1, 3 - 7** as originally filed/furnishedpages* **2** received by this Authority on **13 February 2007** with the letter of **13 February 2007**

pages* received by this Authority on with the letter of

☒ the claims:

pages as originally filed/furnished

pages* as amended (together with any statement) under Article 19

pages* **8 - 10** received by this Authority on **13 February 2007** with the letter of **13 February 2007**

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☒ the drawings:pages **1/2 - 2/2** as originally filed/furnished

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☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.3. ☐ The amendments have resulted in the cancellation of:☐ the description, pages☐ the claims, Nos.☐ the drawings, sheets/figs☐ the sequence listing (*specify*):☐ any table(s) related to the sequence listing (*specify*):4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).☐ the description, pages☐ the claims, Nos.☐ the drawings, sheets/figs☐ the sequence listing (*specify*):☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 1 – 18	YES
	Claims -	NO
Inventive step (IS)	Claims 1 – 18	YES
	Claims -	NO
Industrial applicability (IA)	Claims 1 – 18	YES
	Claims -	NO

2. Citations and explanations (Rule 70.7)Citations

(D1) CIAFFONE R. "ROBERT'S RULES OF POKER", Version 4 April 2004.

(D2) US 6679777 B2 (PFIEFFER et al.), 20 January 2004.

(D3) US 5868392 A (KRAFT), 9 February 1999.

(D4) SEXTON, M., The World Poker Tour 'Action Clock', Card Player Magazine, Vol. 17, No. 3, 30 January 2004. Retrieved from the Internet, URL: <http://www.cardplayer.com/magazine/article/13784>, 8 December 2006.

(D5) World Poker Tour on NBC Scores Opposite Super Bowl Pregame Show; Network Debut of WPT Racks Up 3.0 Rating, Business Wire, 6 February 2004. Retrieved for the Internet, URL: http://www.findarticles.com/p/articles/mi_m0EIN/is_2004_Feb_6/ai_112977398, 8 December 2006.

(D6) US 6164652 A (LAURETTA et al.), 26 December 2000.

(D7) US 5570885 A (ORNSTEIN), 5 November 1996.

Novelty (N) and Inventive Step (IS)

Claims 1 – 18:

None of the documents listed above discloses a method of playing a poker game including the steps of: dealing hands to players; during one or more betting rounds, requiring each player to check, call, raise or fold within a predetermined time; for each player, indicating incremental elapsing of at least a portion of the predetermined time; if a player does not check, call, raise, or fold within the predetermined time: holding the player to a check if no bet exists in the betting round; or declaring the player's hand dead if a bet exists in the betting round; and after all betting rounds are completed, determining betting by ranking remaining hands; wherein the predetermined time is less than 60 second.

Furthermore, none of the documents listed above discloses a playing area for a poker game including at least one dealer station, a plurality of player stations and a corresponding plurality of pathways, each pathway extending from a central portion of the playing area towards a player station; wherein each pathway includes a plurality of consecutive elements that individually indicate incremental elapsing of at least a portion of a predetermined time in which each player is required to act during one or more betting rounds of the poker game.

Therefore the subject matter of these claims is new and meets the requirements of Article 33(2) of the PCT with regard to novelty.

Industrial Applicability (IA)

The invention defined in the claims is considered to meet the requirements of Industrial Applicability under Article 33(4) of the PCT because it can be made by, or used in, industry.